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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/583,111	06/14/2006	Keiichi Sakano	MAT-8857US	1201
53473	7590	07/29/2010		
RATNERPRESTIA P.O. BOX 980 VALLEY FORGE, PA 19482			EXAMINER SHIBRU, HELEN	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 07/20/2010	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/583,111

Applicant(s)

SAKANO, KEIICHI

Examiner

HELEN SHIBRU

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2010.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
4a) Of the above claim(s) 3, 4 and 6 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-2, 5, 7-8 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/22)
4) ☐ Interview Summary (PTO-413)
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____
Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Amendment

1. The amendments, filed 04/28/2010, have been entered and made of record. Claims 1-8 are pending, claims 3, 4, and 6 are withdrawn.

Response to Arguments

2. Applicant's arguments filed 04/28/2010 have been fully considered but they are not persuasive. See below.

Applicant states, "claim 1 is different from Asato because reference information (e.g. clip ID) is used to reference two different files (e.g. an original file and a copied file) on two different recording devices (e.g. a first storage part and a second storage part)."

In response the Examiner respectfully disagrees. The amended claims clearly recites the clip ID that is used to access the original storage part is changed and the changed clip ID is used to access the copied material file. Hence one reference information is not used to reference two different files, the clip ID is used to access the original file and the changed clip ID is used to access the copied material file on the second storage part. In addition Asato teaches file name (referring to reference information wherein the file name is edited (referring to changed). See the rejection sets forth below.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., Applicant states 'Asato does not suggest reference information which refers to two different recording devices') are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van*

Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The claims neither recite ‘devices’ nor ‘device.’

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 5, and 7-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Asato (US Pat. No. 7, 302, 158).

Regarding claim 1, Asato teaches a non-linear editing device, comprising:

a random accessible and detachable first material storage part; a random accessible second material storage part; a material reference management part for managing a clip ID that references an original material file stored in the first, the clip ID used to access the original material file from the first material storage part (see col. 14 line 63-col. 15 line 2, operation input signal is inputted by the user to the CPU 53, thus the CPU reads out A/V data (material file) stored on HDD by making reference to file management, see col. 10 lines 30-35, management section designates file name to carryout reproduction of designated file, see also col. 10 lines 62-65, col. 13 line 64-col. 14 line 1); and

a material copy management part for copying the original material file stored in the first material storage part to the second material storage part as a copied material file, and requesting

the material reference management part to change the clip ID to reference the copied material file, the changed clip ID used to access the copied material file from the second material storage part (see col. 14 lines 55-62 and col. 15 lines 3-61 second material data inserted, see figure 10 edited file name (referring to changing clip ID), see also col. 14 lines 16-32, figures 10 and 13).

Regarding claim 2, Asato discloses the material reference management part includes: a material location table expressing a corresponding relation between a material ID for uniquely identifying the material file and a material location specifying a storage place of the material file (see figure 7 and col. 18 line 52-col. 19 line 21); and a clip material reference table expressing a corresponding relation between the clip ID and a material ID to which the clip ID refers (see col. 10 lines 23-51). See also figures 5, 6A, 10 and 13.

Regarding claim 5, Asato teaches the material reference management part includes a clip material reference table expressing a corresponding relation between the clip ID and a material location specifying a storage place of the material file to which the clip ID refers (see figures 6A-C, 7-8 and col. 11 line 55-col. 12 line 16). See also figures 6, 7 and 11.

Regarding claim 7, Asato teaches the material copy management part copies at least a material file that is to be edited among the original material files stored in the first material storage part to the second material storage part as the copied material file (see abstract, col. 14 line 50-col. 15 line 17).

Regarding claim 8, Asato teaches the material reference management part manages a reference starting point and a reference termination point of the material file to which the clip ID refers to (see figure 10 and col. 14 lines 16-46); and the material copy management part copies a region including a section designated by the reference starting point and the reference

termination point designated by editing in the copy original material file stored in the first material storage part to the second material storage part as the copied material file (see col. 13 line 55-col. 14 line 32 and figure 15), and requests the material reference management part to change reference information so as to allow the clip ID referring to the copy original material file to refer to the same section of the copied material file (see col. 14 lines 33-46). See also rejection of claim 1 above.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571)272-7329. The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HELEN SHIBRU/
Examiner, Art Unit 2621
July 13, 2010

/Thai Tran/

Supervisory Patent Examiner, Art Unit 2621